REMARKS

Reconsideration and allowance are respectfully requested.

The Examiner objected to claims 15 and 27 due to typographical errors which have been corrected along with several others.

Claims 15 and 16 stand rejected under 35 U.S.C. §103 as allegedly being unpatentable over Isnard (US2003/0219005) in view of Landaveri (US2003/0103508). This rejection is respectfully traversed.

Isnard periodically sends downlink synchronization (DL SYNC) frames to Node Bs, to which the Node Bs respond with an uplink synchronization (UL SYNC) frame containing a parameter representing the time of arrival of the downlink synchronization frame. This time of arrival parameter is used to dynamically regulate the time-advance of subsequent frames. As admitted by the Examiner, Isnard makes no distinction between data and voice services, and as a result, all transmissions across the Iub/Iur interfaces are subject to a dynamically varying offset.

Landaveri discloses defining permanent virtual paths between nodes such that the delay in the delivery of voice signals is constant. Landaveri does not disclose defining a substantially fixed offset delay in order to achieve frame synchronization. Instead, Landaveri is concerned with delays associated with ATM switching of ATM cells. There is no recognition of the need for frame synchronization of the same from data being sent to a mobile radio by multiple UTRAN Node B's. In addition, Landaveri makes no reference to radio access networks, UMTS, or to the Iub/Iur interface. Accordingly, Landaveri requires that the virtual paths are "pre-defined" and "permanent" virtual circuits between node controllers 1 and 2. Those virtual paths are "permanently reserved." See [0054, lines 27-31. Those 7 preconditions required by Landaveri are not present in DL voice connections in a UTRAN where different voice

connections are continuously established and released. Nothing in Isnard or Landaveri would have led the person of ordinary skill in the art to define a substantially fixed offset delay for speech services in a UTRAN while applying a dynamically varying offset delay for data services in the UTRAN. Nor does either reference optimize the claimed offset delay in the manner claimed.

Claims 17-28 stand rejected under 35 U.S.C. §102 as allegedly being anticipated by Isnard (US2003/0219005). This rejection is respectfully traversed.

To establish that a claim is anticipated, the Examiner must point out where each and every limitation in the claim is found in a single prior art reference. *Scripps Clinic & Research Found. v. Genentec, Inc.*, 927 F.2d 1565 (Fed. Cir. 1991). Every limitation contained in the claims must be present in the reference, and if even one limitation is missing from the reference, then it does not anticipate the claim. *Kloster Speedsteel AB v. Crucible, Inc.*, 793 F.2d 1565 (Fed. Cir. 1986). Isnard fails to satisfy this rigorous standard.

Regarding claims 17, 24, 25, and claim 26, Isnard discloses dynamically varying the timing offset. But Isnard only adjusts the timing offset when a frame is received outside of the window. See [0058] and Figures 5 and 7. In contrast, these claims provide that the value of the timing offset is reduced **until** a report is received that the frame is received outside of the window, which permits optimization of the offset delay. This kind of offset reduction is missing in Isnard.

Claim 19 recites: "at the or each receiving node, collecting and/or computing time of arrival statistics for received data frames." Isnard fails to disclose that the receiving node, (corresponding to a Node B in Isnard), maintains and calculates the time of arrival statistics. Isnard's Node B simply provides periodic time of arrivals—not statistics formulated by the Node

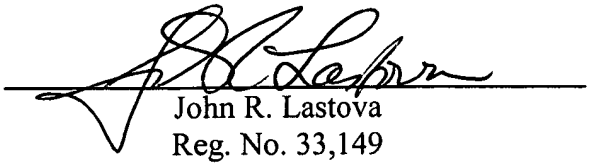
B based on time of arrival information. Similarly, claim 27 specifies that statistics determined based on time of arrival information are received by the sending node from the receiving node. Isnard's sending node, (corresponding to an RNC in Isard), calculates statistics based on time of arrival information received from Node Bs in response to a downlink synchronization frame. See [0052].

Lacking every feature recited in claims 19 and 27, Isnard does not anticipate these claims or claims that depend thereon. In addition, Isnard's approach has drawbacks. First, downlink synchronization frames are generally only sent by Node Bs periodically (see [0050] lines 13 to 14) such that the statistics calculated by the RNC will be based on only a fraction of the time of arrival information sent in the uplink synchronization frame responses. In contrast, determining such statistics at the receiving node means that the amount of time of arrival information used to calculate the statistics need not be limited to just what is sent periodically. Second, in order to increase the amount of time of arrival information upon which the sending node can calculate the statistics at the RNC, the RNC needs to frequently send downlink synchronization frames and receive uplink synchronization frame responses, leading to undesirable increased traffic on the interface.

The application is in condition for allowance. An early notice to that effect is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
John R. Lastova
Reg. No. 33,149

JRL:maa
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100